

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-
LIABILITY COMPANY; AND FORE STARS,
LTD., A NEVADA LIMITED-LIABILITY
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL
SUBDIVISION OF THE STATE OF NEVADA,

Respondent/Cross-Appellant.

No. 84345

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No. 84640

**STIPULATION TO MODIFY
BRIEFING SCHEDULE**

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STIPULATION TO MODIFY BRIEFING SCHEDULE

1. On June 20, 2022, the Court issued its Order Regarding Motions that resolved: (1) the motion filed by the City of Las Vegas (the City) to consolidate these two appeals and (2) the countermotion filed by 180 Land Co., LLC and Fore Stars, Ltd. (collectively, Landowners) to expedite these appeals. In that order, the Court ordered a normal briefing schedule in the City's appeal (Case No. 84345), and a cross-appeal briefing schedule in Landowners' appeal (Case No. 84640). The briefing schedule for this case would therefore involve a total of seven briefs.

2. On July 29, 2022, Landowners filed a motion to dismiss the City's cross-appeal in Case No. 84640, arguing that the City was not aggrieved by the District Court's order awarding pre-judgment interest to Landowners because the City prevailed on its arguments in the District Court. The City's opposition is due on August 19, 2022.

3. The City and Landowners (collectively, the Parties) now stipulate to modify the briefing schedule. The purpose of this stipulation is to streamline the briefing schedule from seven to four briefs since the

current briefing schedule would necessarily entail redundancies and unnecessary work for the Parties and the Court.

4. In place of the current briefing schedule in both Case Nos. 84345 and 84640, the Parties agree to the following cross-appeal briefing schedule according to NRAP 28.1(c): (1) the City will file its opening brief on the current deadline of September 15, 2022. Within this opening brief, the City will address all issues that would otherwise be raised in both its opening brief in Case No. 84345 and the City's cross-appeal in Case No. 84640; (2) within 30 days thereafter, Landowners will then file a combined answering brief in Case No. 84345 and opening brief in Case No. 84640; (3) within 30 days thereafter, the City will file its combined reply brief in Case No. 84345 and answering brief in Case No. 84640; and (4) within 30 days thereafter, Landowners will file their reply brief in Case No. 84640, which will be limited to the issue of pre-judgment interest.

5. This stipulated briefing schedule, if approved by the Court, will render moot Landowners' pending motion to dismiss the City's cross-appeal in Case No. 84640 such that the City will no longer file an opposition thereto. However, Landowners do not waive the argument in their

motion to dismiss that some of the issues outlined in the docketing statement for the City's cross-appeal in Case No. 84640 were not raised in the District Court. Likewise, the City does not waive any argument related to pre-judgment interest or that it might otherwise have raised in response to the motion to dismiss. The Parties will address any such arguments, if necessary, within their filed briefs.

6. The Parties understand that NRAP 28.1(e)(2) extends the type-volume limitation for the briefs in a cross-appeal briefing schedule. However, given that the draft joint appendix is currently 133 appendix volumes and numerous important issues are presented in these appeals, the Parties inform the Court that they may request an enlargement of the type-volume limitation at the time each individual brief is submitted for filing. The Parties respect the Court's time, recognize that the Court disfavors motions to enlarge the type-volume limitation, and will diligently attempt to streamline their briefs but anticipate that since the total briefs are being reduced from seven to four, such motion(s) may be necessary.

IT IS SO STIPULATED.

Dated this 12th day of August 2022.

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[*City of Las Vegas v. 180 Land Co., LLC C/W 84640, No. 84345; Stipulation to Modify
Briefing Schedule*]

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing **STIPULATION TO MODIFY BRIEFING SCHEDULE** with the Supreme Court of Nevada on the 12th day of August 2022. I will electronically serve the foregoing document in accordance with the Master Service List as follows:

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